

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See Form PCT/ISA/210 (sheet 2)**

Applicant's or agent's file reference
R9410WO

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/FR2004/003176	International filing date (day/month/year) 09.12.2004	Priority date (day/month/year) 11.12.2003
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International Patent Classification (IPC) or both national classification and IPC
H04Q7/06, H04Q7/28

Applicant
WAVECOM

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
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International application No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
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International application No.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 3-8, 11-14

YES

Claims 1, 2, 9, 10

NO

Inventive step (IS)

Claims

YES

Claims 1-14

NO

Industrial applicability (IA)

Claims 1-14

YES

Claims

NO

2. Citations and explanations:

Reference is made to the following documents in the
present written opinion:

D1: EP-A-1 026 908 (LUCENT TECHNOLOGIES INC)
09/08/2000

D2: EP-A-1 178 445 (CIT ALCATEL) 06/02/2002

D3: WO 01/93614 A (ERICSSON INC; IRVIN DAVID RAND
(US)) 06/12/2001

1.1 A radio communication device capable of operating on
two frequency bands in transmission and reception
and according to two standards is already known in
the prior art see for example, a mobile capable of
operating with the European standard and with the
North American standard or a 2G-3G mobile (GSM +
UMTS).

1.2 Document D1 presents another example of a mobile
capable of operating on two bands with two standards
(GSM + "walkie talkie").

1.3 Thus the subject matter of claim 1 (see paragraphs 4
and 37 of D1), of claim 2 (see paragraph 20 of D1),

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of claim 9 (see paragraph 37 of D1) and claim 10 (see paragraph 4 of D1) are not novel (PCT Article 33(2)).

2. The other dependent claims 3-8 and 11-14 do not contain any additional features which, in combination with the subject matter of the claim on which they depend, would involve an inventive step (PCT Article 33(3)). The latter are known, either directly derivable from the documents cited or are variant embodiments with no inventive significance of their own.

In particular:

- the content of claim 4 is known from document D1, figure 1;
- the content of claims 11-13 is known from document D1, claim 7.

3. Without going into the details the subject matter of claims 1, 2, 9 and 10 is already known from the GSM terminal (or UMTS terminal) with a Bluetooth interface (or FRS) of document D2 (paragraphs 0002-0004, 0019-0022 and 0040-0041) or from the similar terminal of document D3 (page 2, lines 18-34, page 5, line 23 - page 8, line 4) (PCT Article 33(2)).